THE HONOURABLE SRI JUSTICE

B.SUDERSHAN REDDY

–

WRIT PETITION No. 4218 of 1993

O r d e r:

It is no doubt true, as has been rightly contended by the learned standing counsel for the respondents that the impugned show-cause notice dated 1-3-1993 does not suffer from any legal or jurisdictional errors as such. It was perfectly open to the respondents herein to make an enquiry and initiate disciplinary proceedings as against the petitioner herein on the same grounds, based upon which the criminal case was filed against the petitioner.

But the fact remains that the show-cause notice dated 1-3-1993 was kept under suspension by this Court vide its order dated 23-4-1993. The criminal case filed against the petitioner ended in acquittal though on technical grounds. The allegations leveled against the petitioner, as is evident from the show-cause notice, are so trivial and it may not require any further enquiry at this point of time and after a period of 11 years of the show-cause notice. It may even be difficult for the respondents herein to lead evidence and establish the charge against the petitioner.

Having regard to the peculiar facts and circumstances on hand, I consider it appropriate to direct the respondents herein not to proceed further pursuant to the show-cause notice dated 1-3-1993. The respondents shall take an appropriate decision in the matter to withdraw or recall the show-cause notice in the facts and circumstances of the case.

The writ petition is accordingly disposed of. No order as to costs.

B.Sudershan Reddy, J.

12th August, 2004

grr